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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

(1) REAL PROPERTY LOCATED AT
2775 ROCHELLE STREET, SANTA
ROSA, CA (APN 152-040-037-000);
(2) A SMITH & WESSON .38 CALIBER
AIRWEIGHT 5-SHOT REVOLVER
(SERIAL NUMBER CJR7006 642-2);
AND (3) A GLOCK-19 9MM SEMI-
AUTOMATIC HANDGUN (SERIAL
NUMBER FDF510),

Defendant.

ADAM MCMAINS,

Claimant.

No. 06-4903 SC

STIPULATION AND ORDER
RE: TAKING JANUARY 9, 2009
CASE MANAGEMENT CONFERENCE
OFF CALENDAR

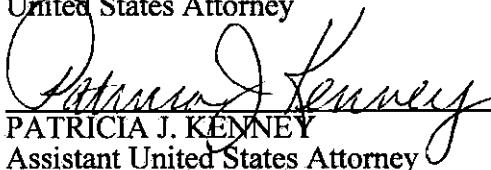
By agreement of the parties, the Court initially stayed the instant case pursuant to 18 U.S.C. § 981(g)(1) and (2) on November 29, 2006, and the case has been stayed since that time. *See* Stipulation and Order, etc., filed December 2, 2008. A case management conference is currently set for January 9, 2009.

This case was stayed pending resolution of an ongoing criminal investigation. Counsel for claimant and the undersigned Assistant United States Attorney have spoken and the AUSA has also spoken with the Court's Courtroom Clerk. With the Court's approval, the parties would like to take the January 9, 2009 case management conference off calendar and schedule the filing of a joint status report for June 1, 2009 with the understanding that, if the parties believe that conditions for the current stay have changed between now and June 1, 2009, the parties can request the Court to place this case back on its active calendar for a case management conference. The parties also agree that the January 9, 2009 case management conference should be taken off calendar for a number of reasons. Claimant's counsel has other court appearances scheduled for January 9, 2008. In addition, the undersigned AUSA intends to check on the status of the criminal investigation and the parties will explore whether there is a possibility for informal resolution of this case.

IT IS SO STIPULATED:

Dated: January 8, 2009

JOSEPH P. RUSSONIELLO
United States Attorney


PATRICIA J. KENNEY
Assistant United States Attorney

LAW OFFICES OF
GEORGE C. BOISSEAU

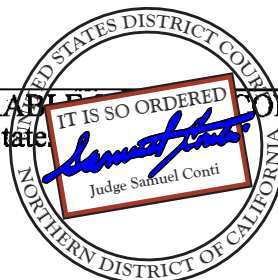
Dated: January 8, 2009


GEORGE C. BOISSEAU
Attorney for claimant Adam McMains

IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON THIS ____ DAY OF _____, 2009, THAT THE JANUARY 9, 2009 CMC IS TAKEN OFF CALENDAR, THAT THE PARTIES SHALL FILE A JOINT STATUS REPORT ON OR BEFORE JUNE 1, 2009 AND THAT THE PARTIES SHALL NOTIFY THE COURT IF THE CONDITIONS FOR THE CURRENT STAY CHANGE.

1/13/09

HONORABLE
United States



Stip and Order
No. 06-4903 SC